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3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA

5 DAVID LEVOYD REED,

6 Plaintiff,

7 v.

8 JAMES DZURENDA et al.,

9 Defendants.
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Case No. 2:19-cv-00172-APG-NJK

ORDER

11 **I. DISCUSSION**

12 On November 18, 2019, the Court issued a screening order staying this case and requiring
13 the Attorney General's Office to inform the Court as to whether it would enter a limited notice of
14 appearance for the purpose of settlement. Docket No. 8. The Attorney General's Office responded
15 that it can't identify either Defendant "Officer Nelson" or Defendant John Doe based on the
16 allegations in Plaintiff's amended complaint. Docket No. 9. Because the Attorney General's
17 Office cannot identify either remaining Defendant, it cannot make a limited appearance for the
18 purpose of settlement. *Id.* As such, an Inmate Early Mediation Conference is inappropriate for
19 this case, and this case will return to a normal litigation track.


20 In its screening order, the Court deferred ruling on Plaintiff's application to proceed *in*
21 *forma pauperis*, Docket No. 1, pending the outcome of settlement discussions. Docket No. 8. As
22 this case is returning to a normal litigation track, the Court will now address Plaintiff's *in forma*
23 *pauperis* application. Based on the information regarding Plaintiff's financial status, the Court
24 finds that Plaintiff is not able to pay an initial installment payment toward the full filing fee
25 pursuant to 28 U.S.C. § 1915. Plaintiff will, however, be required to make monthly payments
26 toward the full \$350.00 filing fee when he has funds available.
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1 IT IS FURTHER ORDERED that, within **twenty days** of receiving from the U.S. Marshal
2 a copy of the USM-285 forms showing whether service has been accomplished, Plaintiff must file
3 a notice with the Court identifying which Defendant(s) were served and which were not served, if
4 any. If Plaintiff wishes to have service again attempted on an unserved Defendant(s), then a motion
5 must be filed with the Court identifying the unserved Defendant(s) and specifying a more detailed
6 name and/or address for said Defendant(s), or whether some other manner of service should be
7 attempted.

8 IT IS FURTHER ORDERED that, henceforth, Plaintiff will serve upon Defendants or, if
9 appearance has been entered by counsel, upon the attorney(s), a copy of every pleading, motion or
10 other document submitted for consideration by the Court. Plaintiff will include with the original
11 paper submitted for filing a certificate stating the date that a true and correct copy of the document
12 was mailed to the Defendants or counsel for the Defendants. The Court may disregard any paper
13 received by a district judge or magistrate judge which has not been filed with the clerk, and any
14 paper received by a district judge, magistrate judge or the clerk which fails to include a certificate
15 of service.

16 IT IS FURTHER ORDERED that this case is no longer stayed.

17 DATED: December 12, 2019.

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21 NANCY J. KOPPE
22 UNITED STATES MAGISTRATE JUDGE
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